

**CRIMINAL DOCKET  
UNITED STATES DISTRICT COURT**

D. C. Form No. 100A Rev.

TITLE OF CASE	ATTORNEYS
<p><b>THE UNITED STATES</b></p> <p><i>vs.</i></p> <p><b>WAYNE VERNON WOMOCHIL</b></p>   <p>Def address: 92 Neptune Pl. Carter Lake, Iowa</p>	<p><i>For U. S.:</i></p> <p><b>Ben F. Baker</b></p>   <p><i>For Defendant:</i></p> <p><del>John T. Grant (Appt. in Neb)</del>  <del>410 Aquila Court</del>  <del>Omaha, Nebraska 68102</del>  <b>James E. Frasier (Ct. Appt.)</b>  <b>Pythian Building</b>  <b>Tulsa</b></p>

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 2 mailed 8-31-72	Clerk				
J.S. 3 mailed 1-31-73	Marshal				
Violation NSPA	Docket fee				
Title 18					
Sec. 2314					

DATE	PROCEEDINGS
8-9-72	Indictment, filed in open court. rm
8-9-72	Record vote of the grand jury, filed in open court. rm
8-18-72	Mag. material in file. v
8-18-72	Bond of the def. in amt of \$5,000 filed. Order specifying, etc.h
10-11-72	Defendant present in person and rep. by James Frasier, appt. counsel. Defendant arraigned and enters plea of NOT GUILTY, and case passed to next jury docket. Def. granted 10 days to file motions. Def. to stand on present bond.(AEB-J)h
10-24-72	Deft's Motion to disclose witnesses of the Govt who will appear at time of trial, filed. r (Copy to Dene)
10-24-72	Brief in support of Motion to disclose witnesses of Govt who will appear at time of trial, filed. (Copy to Dene)
10-24-72	Deft's Mot for disclosure of matters occurring before Grand Jury, filed r. (Copy to Dene)
10-24-72	Brief in support of Mot. for disclosure of matters occurring before the Grand Jury. r (Copy to Dene)

(OVER)

DATE	PROCEEDINGS
10-24-72	Deft's Motion for an order requiring Pltf to produce all evidence favorable to the accused. filed.r(Copy to Dene)
10-24-72	Brief in support of Motion for order requiring Govt to produce evidence to the accused. filed. r (Copy to Dene)
10-30-72	Govt.'s response to Deft.'s Pre-Trial Motions, filed. v -copy to Dene.
12-13-72	Ordered that Magistrate conduct hearing on deft's motion to disclose witnesses of the govt. who will appear at time of trial; deft's motion for disclosure of matters occurring before the Grand Jury; and deft's motion to produce all evidence favorable to accused. (AEB-J)hm
12-13-72	Hearing held on above motions. It is recommended that deft's motion to disclose witnesses of govt. who will appear at time of trial be <u>denied</u> ; that deft's motion for disclosure of matters occurring before the Grand Jury be overruled; that deft's motion to produce all evidence favorable to accused be denied. Govt. to prepare F&R within 5 days.(MLB-Mag)hm
12-15-72	Case set for 1Jury Trial on 1-8-73 at 9:30 A.M. (AEB-J)v -copies mailed.
12-22-72	Findings and Recommendations of Magistrate, filed. (MLB-U.S.Mag.)v
1-3-73	Order filed that def's motion for disclosure of matters and motion for evidence are each denied.(AEB-J)h (copies mailed)
1-4-73	Marshal's return on two (2) subpoenas to testify, and return on one (1) subpoena to produce documents, filed. (USM \$11.08) rm
1-9-73	Case tried to a jury on 1-8-73 and 1-9-73. Def's mot for judg. of acquittal and motion for mis-trial overruled. Jury returns with a verdict finding the defendant GUILTY as charged. Verdict accepted read and filed in open court. Def. adjudged GUILTY as charged and sentence passed to Tues. Jan.23, 1973 at 10:00 A.M. Def. to stand on present bond, and allowed to travel to Omaha for employment purposes. Def. advised of right to appeal.(AEB-J)h (Exhibit filed in file)
1-15-73	Return on service of subpoena to testify filed. h
1-23-73	Motion for Judgment of Acquittal and New Trial, filed by Deft. v <i>Copy to Dene</i>
1-23-73	Def. present in person and rep. by Jms. E. Frasier, appt. counsel. The govt rep. by H. Bryant.
	Judgment and Sentence- Wayne Vernon Womochil
	Probation - Three (3) years.
	Defendant's renewed motion for new trial is overruled. (AEB-J)h
1-23-73	Order of Probation filed & entered. Two c.c. to Prob. Office. h
1-29-73	Order overruling def.'s mo/for judgment of acquittal and new trial.(AEB-J) rm
4-26-74	Report and Order Terminating Probation Prior to Original Expiration Date, filed. (AEB-J)e <i>Copies mailed</i>

72-CR-135

# RECORD OF PROCEEDINGS IN CRIMINAL CASES

**BEFORE** RICHARD C. PECK Omaha, Nebraska  
(Name of magistrate) (Address)

MAGISTRATE'S  
DOCKET No. 1 CASE No. 195  
THE UNITED STATES  
vs.

WAYNE VERNON WOMOCHIL

Complaint filed on \_\_\_\_\_, 19\_\_\_\_, by \_\_\_\_\_  
 Official title \_\_\_\_\_, charging violation of  
 United States Code, Title \_\_\_\_\_, Section \_\_\_\_\_, on \_\_\_\_\_  
 19\_\_\_\_, at \_\_\_\_\_ in the \_\_\_\_\_  
 division of the \_\_\_\_\_ district of \_\_\_\_\_  
 as follows: \_\_\_\_\_

(Here insert brief summary of facts constituting offense charged)

WARRANTS OR SUMMONS ISSUED:

Date \_\_\_\_\_ Warrant/Summons for \_\_\_\_\_  
to (name and title of officer) \_\_\_\_\_  
Substance of return \_\_\_\_\_

**FILED**  
AUG 18 1972

(Name of defendant) \_\_\_\_\_

Date \_\_\_\_\_ Warrant/Summons for ACK C. SILVER-ACTING Clerk  
to (name and title of officer) \_\_\_\_\_ U. S. DISTRICT COURT (Name of defendant)  
Substance of return \_\_\_\_\_

### PROCEEDINGS ON FIRST PRESENTATION OF ACCUSED TO MAGISTRATE:

Date 8/2/72 Arrested by U. S. Marshal (Name of issuing officer)  
without warrant.

Appearances	{	for United States	<u>Randall Rinqwest</u>	(Name)	_____	(Address)	_____
		for accused	<u>Pro Se</u>	(Name)	_____	(Address)	_____

Proceedings taken 8/2/72: Def. presented after arrest on teletype info. that

(Here insert with dates, when appropriate, a seriatim account of essential steps taken at hearing such as "complaint prepared,"

Magistrate's Warrant issued 8/2/72 in No. Dist. of Okla. charging interstate  
if arrest is without warrant: "defendant informed of complaint and right to retain counsel and preliminary hearing": "preliminary examination waived,"  
transportation of stolen property, 18 USC, 2314. Def. advsd. as to ntr. of chg.,

if that is the fact; any adjournments taken, etc.

max. penalty, and constit. rts. Regstd. appmt. of cnsl. John T. Grant, 410  
Aquila Court, apptd. Prcdgs. contd. to 8/4/72 at 2:30 P. M.

8/4/72: Def. present with apptd. cnsl. and reqstd. removal hearing. Hearing set for 8/16/72 at 9:30 A.M.

8/16/72: Def. present with apptd. cnsl. and served with warrant issued 8/14/72 pursuant to indictment in 72-CR-135, No. Dist. of Okla., superseding Magistrate's complaint. Def. executed Waiver of Removal Hrg. Bond contd. in effect and recommended that Warrant of Removal be issued only if bond subsequently cancelled.

Outcome \_\_\_\_\_

Bail fixed August 2, 19 72 Amount, \$5,000.00 Bonded August 2, 19 72, by cash deposited by (name) \_\_\_\_\_ Address \_\_\_\_\_  
transmitted to clerk of district court \_\_\_\_\_, 19 \_\_\_\_ [or] by surety (name) Midland Insurance Company Address 111 N. 13 St., Omaha, Nebraska  
(name) by L. S. Cornett Address \_\_\_\_\_, who justified by affidavit dated \_\_\_\_\_, 19 \_\_\_\_, [or] committed to \_\_\_\_\_ on \_\_\_\_\_, 19 \_\_\_\_

SUBPOENAS FOR WITNESSES ISSUED:

\_\_\_\_\_, 19 \_\_\_\_, for (name of witness) \_\_\_\_\_  
 at request of (name of party) \_\_\_\_\_  
 Substance of return \_\_\_\_\_

\_\_\_\_\_, 19 \_\_\_\_, for (name of witness) \_\_\_\_\_  
 at request of (name of party) \_\_\_\_\_  
 Substance of return \_\_\_\_\_

\_\_\_\_\_, 19 \_\_\_\_, for (name of witness) \_\_\_\_\_  
 at request of (name of party) \_\_\_\_\_  
 Substance of return \_\_\_\_\_

PRELIMINARY EXAMINATION:

(Not to be used if case was disposed of at first presentation)

Date \_\_\_\_\_ Appearances for \_\_\_\_\_

United States (Name) \_\_\_\_\_

(Address) \_\_\_\_\_

Accused (Name) \_\_\_\_\_

(Address) \_\_\_\_\_

WITNESSES FOR UNITED STATES:

(List names and addresses)

WITNESSES FOR ACCUSED:

(List names and addresses)

Witness payroll containing \_\_\_\_\_ names certified to United States Marshal for payment \_\_\_\_\_, 19 \_\_\_\_  
 Proceedings taken \_\_\_\_\_

Outcome \_\_\_\_\_

Bail fixed \_\_\_\_\_, 19 \_\_\_\_ Amount, \$ \_\_\_\_\_ Bonded \_\_\_\_\_, 19 \_\_\_\_, by cash  
 deposited by (name) \_\_\_\_\_ Address \_\_\_\_\_  
 transmitted to clerk of district court \_\_\_\_\_, 19 \_\_\_\_  
 [or] by surety (names) \_\_\_\_\_ Address \_\_\_\_\_  
 and \_\_\_\_\_ Address \_\_\_\_\_  
 who justified by affidavit \_\_\_\_\_, 19 \_\_\_\_ Committed to \_\_\_\_\_  
 on \_\_\_\_\_, 19 \_\_\_\_

Certified to be a correct transcript.

Made this 16th day of August, 19 72

Transmitted to Clerk of United States District Court for the  
 district of Nebraska \_\_\_\_\_, August 16, 19 72

*Richard P. Dech*

United States Magistrate.



[illegible]

Dated August 9, 1972

United States Magistrate